

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

DROPLETS, INC.

Plaintiff,

v.

**OVERSTOCK.COM, INC.,
SEARS ROEBUCK & CO.,
SEARS BRANDS LLC,
SEARS HOLDINGS CORPORATION,**

Defendants.

Civil Action No. 2:11-cv-00401-JRG


JURY TRIAL

ORDER OF DISMISSAL OF OVERSTOCK.COM, INC. WITH PREJUDICE

On this day, Plaintiff Droplets, Inc. (“Droplets”) and Defendant Overstock.com, Inc. (“Overstock”) announced to the Court that they have settled Droplets’s claims for relief against Overstock and Overstock’s counterclaims for relief against Droplets asserted in this case. (Dkt. No. 435.) Droplets and Overstock have therefore requested that the Court dismiss Droplets’s claims for relief against Overstock and Overstock’s claims for relief against Droplets, with prejudice and with all attorneys’ fees, costs and expenses taxed against the party incurring same. The Court, having considered this request, is of the opinion that their request for dismissal should be **GRANTED**. (Dkt. No. 435.)

IT IS THEREFORE **ORDERED** that Droplets’s claims for relief against Overstock and Overstock’s counterclaims for relief against Droplets are dismissed **WITH PREJUDICE**. IT IS FURTHER **ORDERED** that all attorneys’ fees, costs of court and expenses shall be borne by each party incurring the same. Any and all motions between Droplets and Overstock in this case which are presently unresolved are hereby **DENIED**. The Clerk is directed to **CLOSE** this case.

So ORDERED and SIGNED this 9th day of March, 2016.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE